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ARMS TO IRAN: 'HOW QUICKLY WE FORGET'
BY DANIEL F. GILMORE
WASHINGTON

STAT

The State Department acknowledges secret meetings with Iranian contacts and the CIA director admits that on orders of the president, Congress was left in the dark about efforts to free American hostages.

If it sounds familiar, it should. But the crisis is not Ronald Reagan's.

In this case, it belongs to Jimmy Carter.

''Secret Iran Maneuvers; How Quickly We Forget'' is the headline on the article written by CIA veteran Edward Sayle for the latest edition of Periscope, a journal of the Association of Former Intelligence Officers.

Sayle, the editor of Periscope and historian for the organization, authored the piece as a retrospective on the Iranian hostage crisis and scandal endured by President Carter years before his successor stumbled into a similar swamp.

Carter's case began in secret negotiations for the release of 52 American hostages held by Islamic militants in the U.S. Embassy in Tehran. It followed his disastrous covert air operation to free the hostages in which eight U.S. Air Force and Marine personnel were killed in the Iranian desert when two rescue aircraft collided.

It ended, or at least saw its goal achieved, only when the hostages were freed Jan. 20, 1980, after 444 days in Tehran -- and after Reagan was sworn in to succeed the president whose envisioned second term died in the cross fire.

''The fate of 52 American hostages seized in Iran tugged at the nation's heart strings,'' Sayle wrote. ''The nation recognized and accepted that something dramatic, be it diplomatic or military, had to be done to break the impasse and bring the American prisoners home.

''President Carter carried the burden of what appeared to be a diminished and powerless presidency as a penalty for inaction.''

The media reported that a secret deal was in the works and that the hostages would be released in exchange for five planeloads of military spare parts.

''The press claimed to have located the anticipated shipment in a warehouse at McGuire Air Force Base,'' Sayle wrote, ''and a Pentagon spokesman made the frank admission the materiel there was indeed intended for Iran. But, he said, the parts were ones that had been signed over to the Iranians before the hostage crisis began and were stored at McGuire.''

State Department spokesman John Trattner, the story continued, ''acknowledged that the administration intended to resume the shipment of military parts once the hostages were released.''

The militants who seized the U.S. Embassy Nov. 4, 1979, took the hostages as ransom for the return of Shah Mohammed Reza Pahlavi to stand trial. The shah had fled to the United States the previous month as the Islamic revolution of Ayatollah Ruhollah Khomeini gained strength.

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The United States would not give the seriously ill shah indefinite haven, and he went to Panama and then to Egypt, where he died of cancer July 27, 1980.

The Carter administration began negotiating with Khomeini's regime through Algerian diplomats and offered to deliver between $5 billion and $6 billion of frozen Iranian assets in return for the hostages. Arbitration by an international panel would handle other assets or claims in dispute.

In fact, $8 billion in Iranian assets held by the United States were unfrozen after the hostages were freed. Negotiations continue today for other sums.

Carter eventually signed a secret presidential ''finding'' that authorized the dispatch of a CIA agent to Tehran ''at high risk to his life'' to engineer the successful escape of six Americans who had hidden in the Canadian Embassy, Sayle wrote.

CIA personnel also flew a light plane into the Iranian desert, landing by moonlight, to establish if the area could handle larger cargo planes.

''Other CIA personnel went repeatedly into hostile Tehran to survey what the military rescue force would find on their arrival and to purchase the trucks to transport the raiding party to the beleagured embassy,'' Sayle wrote.

Congress, however, was told none of this -- and Carter's CIA director, Adm. Stansfield Turner, recently recalled three instances in which lawmakers were deliberately not told of secret efforts to free the hostages, Sayle wrote.

''In these instances,'' he quoted Turner as saying, ''the information was so tightly held that had the full intelligence committees of the Congress been informed, more people on Capitol Hill would have known about the operation than inside the CIA! ''

Sayle concluded: ''Press speculation of the time faded into history like a bad memory after the ultimate release of the hostages. ... How quickly we forget.''

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Furor at the CIA over Tower report

STAT

Did NSC influence intelligence estimate to justify arms sale?

By Gary Thatcher
Staff writer of The Christian Science Monitor
Washington

The Central Intelligence Agency is in an uproar over the findings of the Tower Commission report on the Iran-contra affair.

Some present and former officials argue that the commission's report incorrectly implies that the agency manipulated intelligence data for political purposes.

An agency official says that senior intelligence officers are "furious" over the report.

They are also concerned that the kind of vigorous give-and-take between government agencies that encourages sound intelligence reporting will be inhibited in the future because of the panel's findings.

One of the CIA officials named in the Tower report, Graham Fuller, the vice-chairman of the high-level National Intelligence Council, is leaving the agency at the end of the year. Although Mr. Fuller was unavailable for comment, another CIA official said his departure has "absolutely nothing to do" with the Tower Commission report.

Fuller is the principal author of the Special National Intelligence Estimate (SNIE) that was used by the National Security Council (NSC) to justify covert arms sales to Iran.

Fuller consulted with NSC officials as he was writing the document, a fact that came under critical scrutiny in the Tower Commission report. Excerpts from the SNIE, as well as parts of Fuller's own testimony to the commission, were quoted at length in the report.

The report said that a National Security Directive Decision "drawing on" the SNIE sanctioned the arms sales. William Casey, then the CIA director, supported the finding.

The Tower Commission report has sharply divided experts in American intelligence gathering.

"There's quite a bit there," says one analyst, adding, "The whole question of altering intelligence data for political purposes certainly bears looking into."

But others disagree. One Washington-based analyst says the Tower Commission failed to understand the normal give-and-take that goes into preparations of CIA reports, and wrongly concluded that discussions between officials of different agencies was improper manipulation of the intelligence-gathering process.

CIA deputy director Robert Gates this month wrote to Sen. David Boren (D) of Oklahoma, chairman of the Senate Select Committee on Intelligence, to "set the record straight on several false allegations."

One such allegation, he said, was that "CIA colluded with NSC officials in preparation of the May 1985 [SNIE] on Iran to reach specific conclusions.

Gates wrote that the NSC was "not involved in drafting nor was it allowed to participate in the interagency coordination of the draft. . . . The independence and integrity of the intelligence process were preserved throughout."

The Tower report indicates that an NSC official, Donald Fortier, boasted in a May 28, 1985, note that "we also just got a bootleg copy of the draft SNIE."

Fortier noted that that "we worked fully with Graham Fuller on the approach, and I think it really is one of the best yet."

Some critics have taken that as evidence of political manipulation, since it was the NSC that originally requested the special estimate in order to back up its plans for arms sales.

Others, however, say that intelligence analysts fail when they do not consult with those who set policy.

"There's nothing wrong with that," says one former intelligence official. "You've got to talk to the policy people in order to get the context. It's hard for me to see that's a perversion of the process."

Admiral Stansfield Turner, formerly the director of the CIA, says there is a "fine line" between lively interchange and improper manipulation. While "you want to encourage contact" between analysts in various branches, he says, "you don't want to encourage the NSC to believe they've got a national intelligence estimate when they really haven't."

Robert J. Murray, a consultant to the Tower Commission and director of the national security program at Harvard University's John F. Kennedy School of Government, says, "I would hope no one would draw the conclusion from the Tower Commission report that CIA and policy makers should not interact vigorously. . . . Normal interaction is important. If you can't have it, you do no good service to policymaking."

"I think it's quite proper for the NSC to try to lash the bureaucracy to produce the best intelligence information," Murray says. But he concludes, "I think it's improper for the NSC to tell people what the conclusions ought to be."

A Letter to William H. Webster

By Stansfield Turner

WASHINGTON

Dear Bill,

Thanks for being willing to take the job at the Central Intelligence Agency. The nation needs you there badly. There will likely be months of difficult investigations ahead, but I would like to suggest that there can be opportunity in the adversity.

So many mistakes have been made in the past few years in and around the White House and the C.I.A. that the President has agreed to make radical changes in the way he uses the C.I.A. That will help you immeasurably. Witness two excerpts from his talk to the nation March 4:

"I am also determined to make the Congressional oversight process work. Proper procedures for consultation with the Congress will be followed, not only in the letter but in the spirit.

"I've also directed that any covert activity be in support of clear policy objectives and in compliance with American values. I expect a covert policy that if Americans saw it on the front page of their newspaper, they'd say, 'That makes sense.'"

The Administration has previously resisted these policies strongly. The C.I.A. has resisted them from time to time. External forces, though, have made such policies inevitable. Congressional oversight, for instance, is the result of the greater and greater democratization of American life since you and I entered Amherst College in 1941. We are much less willing today to yield to authority just because it is authority. You and I have come to see the traditional power of committee chairmen in Congress watered down, junior officers in the military daring to ask why they are doing what they are doing and factory workers advising management.

From the 1940's to the 60's, almost no one outside the C.I.A. sought a say in what was going on inside that secret organization. The public accepted that as a necessary price of the cold war, and the Congress obliged by providing money with few questions asked. By the late 60's, the Congress began to worry about the C.I.A.'s secret activities. In 1974, it passed the Hughes-Ryan Amendment requiring that Congress be informed when the C.I.A. undertook covert actions. A year later, it ordered a halt to a covert action in Angola.

That same year brought the Church committee, whose investigations revealed that unaccountable power can lead to mistakes. The Congress decided that we could not have any unaccountable agency of Government, not even our most secret intelligence organization.

From 1977 to 1981, we worked to make Congressional oversight compatible with secrecy. It quickly became clear that you must have good will and trust on both sides to do that. Without trust, the Congress may insist on knowing details that could endanger the lives of agents or other secrets, and without good will the C.I.A. cannot win the support from Congress that it needs.

In their concern for secrecy, President Reagan and former Director William J. Casey told the intelligence committees as little as possible. The most obvious damage was that the Administration had neither the advice of the Congress on the Iran hostage swap nor its support. What you now face is the possibility of new laws requiring such full disclosure that you might feel inhibited from conducting some sensitive operations.

Building on Mr. Reagan's pledge to make oversight work, however, you can restore confidence and trust. The Congress would prefer this, I believe, but you will have to persuade Congress that secrecy is not being abused. There will always be some resistance from C.I.A. professionals to sharing information with the Congress. Espionage and covert action have traditionally been viewed in the C.I.A. as unique undertakings that demand extraordinary secrecy. There is probably nowhere in our Government where so much secrecy is justifiable. We have just seen, though, where excess secrecy can have disastrous results.

The paranoia with which Vice Adm. John M. Poindexter and Lieut. Col. Oliver L. North divided up information and limited its distribution on the grounds of secrecy is just what did them in.

President Reagan's pledge on covert actions should also help. His conversion here comes from having been burned four times by covert actions that the public rejected: the mining of Nicaragua's harbors, publication of a manual for the contras that appeared to condone assassination, support of antiterrorist actions by Lebanese intelligence that got out of the C.I.A.'s control and resulted in some 80 innocent deaths, and the arms deliveries to Iran. None of these passed the verdict of "makes sense."

It is also very difficult to keep a covert action covert if it does not make sense. Under the Hughes-Ryan Amendment, you must obtain Presidential approval and notify the Congress of all covert actions. There are bound to be leaks. This means that we have forsaken the ability to undertake covert actions that would not be accepted by the public. The President refers to acknowledging that he is now willing to accept that.

It is not a high price to pay, because it would be contrary to the spirit of our constitutional process to carry out foreign policies in secret that the public and Congress would not accept if known and also because the scope for covert action has narrowed remarkably in the past 20 years, especially actions to change the political complexion of other countries.

For instance, in 1954 Dwight D. Eisenhower decided that he did not like the Guatemalan Government. The C.I.A., with not much more than radios broadcasting reports of the movements of nonexistent troops, helped "our man" into office. That policy would probably not work today because communications are too good in most countries for such deception to deceive. Tomorrow, when commercial photographic satellites are more broadly available, it will be even more difficult. Covert action has an important niche, but it is a more narrow one than we previously thought.

Finally, what I found perhaps most disturbing in the Tower commission report was the evidence that some C.I.A. people were out of control: responding to Colonel North's request for covert help without proper authorization; treading close to, if not over, the law in assisting the contras, and submitting statements that have proved to be false.

The people in the C.I.A. are among the very best in our Government, but the pressures to which we subject them are unique. A few of them may go wrong from time to time. Given the present environment, you have a marvelous opportunity to establish a more careful management system.

In short, this time of trouble is also a time of opportunity to cement the President's pledges and to assert a greater degree of control at the C.I.A. Both are overdue — and both are essential. □

Stansfield Turner was Director of Central Intelligence from 1977 to 1981.

BOSTON GLOBE
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US intelligence board is seen as lax

By Stephen Kurkjian
Globe Staff

WASHINGTON – Those responsible for its establishment see it as highly ironic that it would be the Intelligence Oversight Board that would have provided Lt. Col. Oliver L. North with the authorization to put together a network to provide apparently illegal support to the Nicaraguan rebels.

The board was formed to prevent just such questionable conduct.

Tucked away on the third floor of the Executive Office Building, the board's three part-time members and staff counsel make it tiny compared with other federal bureaucracies.

But its charter has provided the board with vital responsibilities – monitoring all sensitive covert operations by US intelligence agencies to make sure they do not violate federal law or ethical conduct, and advising the president of potential problems with such operations.

"The watchdog"

"We set it up to be the watchdog and we made sure it had the teeth to get the job done," said former Vice President Walter Mondale. As a US senator, Mondale recommended creating the board

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in an attempt to prevent a repeat of the excesses in covert intelligence activities that were disclosed by congressional hearings in the mid-1970s.

"But from what I can see Reagan has altered their course," said Mondale in a telephone interview last Friday. "I don't think they provide the same protection they once did."

In fact, according to the Tower Commission report, the board provided the authorization to North to carry on a broad range of possibly illegal activity in support of the Nicaraguan rebels between 1984 and late 1986.

A memorandum found in North's files, which the Tower Commission concluded was written by the Oversight Board, concluded in 1985 that North's activities were not in violation of federal law prohibiting the US government from providing military assistance to the rebels. "None of Lt. Col. North's activities during the past year constitutes a violation of the Boland Amendment," the memorandum stated.

The exact date that the board's memorandum to North was written is not known, nor does the memorandum, as quoted in the Tower report, say which of North's activities were being clearing. But elsewhere in the report, the Tower Commission stated that during 1985, the year that the memorandum was written, North was embarked on putting together a private network to raise millions of dollars for military supplies for the rebels.

Compliance called unnecessary

More importantly, the board's memorandum concluded that North did not have to inform congressional committees of any covert activity that he was carrying out. The board's reasoning was that the National Security Council was involved in the "coordination" of covert action, and not actual implementation. As a result, the NSC and its staff did not have to comply with the federal law that mandates reporting to the House and Senate Intelligence committees of all covert action carried on by intelligence agencies of government.

Retired Adm. Stansfield Turner, director of the Central Intelligence Agency during the Carter administration, sharply criticized this reasoning on two grounds. "Any reasonable presentation of the facts" would have shown that North was involved in covert action, Turner said in a telephone interview. And, he said, the act that set up the US intelligence gathering apparatus in the late 1940s specifically referred to the NSC as part of the intelligence-gathering community.

Reviews legality

While refusing to comment on the legality of North's efforts, the Tower Commission stated that "systematic legal advice" should have been obtained for any operation that was so legally and politically risky. Instead, North turned to the Board for his advice and, the commission stated, that was an "odd source" to provide such a legal opinion.

The board's responsibility is to review the legality of covert operations being carried on by intelligence agencies, and to inform the president of its opinion of those operations. The report asserted that it was altogether different "for the Intelligence Oversight Board to be originating legal advice of its own."

The board has refused to comment on the Tower Commission's report and its members did not return phone calls last week. A spokesman for Frank C. Carlucci, President Reagan's recently appointed national security adviser, refused to say Friday whether a review of the board's legal work was under way.

None of the board's members were interviewed by the Tower Commission about how they might have prepared the memorandum for North and about who within the White House, including the president, may have been informed about North's activities.

Reagan has denied knowing that his NSC aide had secretly operated a private aid network for the rebels, but noting that the Oversight Board had direct access to the president, one former aide for the Senate Intelligence Committee said, "There's no telling what briefing he may have received in the Oval Office."

Carter years different

During the Carter administration, the board rejected a number of covert operations that were being proposed by intelligence agencies, said both Turner and Thomas L. Farmer, the board's chairman from 1977 to 1981. "The three of us were all from outside the administration, and we had no loyalties to the president or the agencies we were overseeing," said Farmer of his colleagues on the board, former Pennsylvania Gov. William Scranton and former Sen. Albert Gore Sr.

"We only considered the legality and propriety of an operation, but if we had a problem with anything we would express them in a memorandum to the president," said Farmer, a Washington lawyer. More often than not, Farmer

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recalled, Carter would return the memorandum to the board with its margins filled with notations, pressing for more information or harder analysis. Carter "knew from the hearings what sort of abuses had gone on before – domestic surveillance, assassinations, that sort of thing – and he was adamant those types of things weren't going to happen under him," Farmer recalled.

That level of skepticism of covert operations dimmed once the Reagan administration took office, according to two Democratic congressional sources. In 1981, less than a year after he was inaugurated, Reagan signed an executive order that removed from the board its power to reject a covert operation because of impropriety.

Monthly meetings

The board, which meets once a month and receives briefings about covert operations being planned by the Central Intelligence Agency and other intelligence-gathering agencies, can now only recommend rejection of a plan if they believe it violates a federal or state law.

And the board itself has undergone a dramatic change in its membership. Instead of its past nonpolitical bent, three of the four men who Reagan has appointed as members have close ideological ties to him. The board's chairman, W. Glenn Campbell, heads the conservative Hoover Institution at Stanford University. A major fund-raiser for Reagan, Campbell has been active in efforts to have the Reagan Presidential Library located at Stanford.

Also on the board are Charles Tyroler 2d, director of the Committee on The Present Danger, a conservative group based in Washington that focuses on defense issues, and Charles J. Meyers, a Denver lawyer and a former dean at Stanford Law School.

Meyers was appointed to the board after one of Reagan's first appointees, Frank D. Stella, a Republican fund-raiser and a successful Detroit manufacturer, had to resign because of business pressures.